

REMARKS

This is in response to the Office Action dated April 29, 2009. In view of the foregoing amendments and following representations, reconsideration is respectfully requested.

New claims 13 and 14 have been added.

Rejection under 35 U.S.C. §102(b):

Claims 1, 2, and 5-12 are rejected under 35 U.S.C. §102(b) as being anticipated by Mizoguchi (US 5,805,215). This rejection is respectfully traversed and submitted to be inapplicable to the above claims for the following reasons.

Claim 1 recites a recording apparatus including, in part, a retrieving unit operable to retrieve a title candidate, among title candidates prestored by a storage unit, that matches shooting time information and object information and a presentation unit operable to present character sequences, to a user, that are a combination of the title candidate retrieved by the retrieving unit and the shooting time information acquired by a shooting time acquiring unit. The present invention uses shooting time information and object information together to suggest an appropriate prestored title for an acquired image. Once an appropriate title is selected from a list of candidate titles, the title is associated with the image, and the presentation unit displays a combination of the title and the shooting information. Mizoguchi fails to disclose or suggest the features of claim 1 discussed above.

Mizoguchi discloses an information processing method and apparatus. As described in Figure 7B, at the time when information is associated with an image (i.e., like the titling process from the present invention), images are searched based on only date/time information. The information processing apparatus searches previously entered schedules for a schedule matching the photographic date/time of an image. Once a matching schedule is found, all the information associated with the schedule is then associated with the image. However, the searching is only done with date/time information. (See col. 7, lines 10-27.) Furthermore, in Mizoguchi when a matching schedule is found, the information associated with the schedule is automatically

associated with the image. (See col. 7, lines 10-27.) This does not give a user an opportunity to select the best schedule from a list of candidate schedules.

Thus, Mizoguchi discloses searching for matching schedules based only on time/date information of an image, and when a match is found, automatically associating the schedule's information with the image. However, Mizoguchi does not disclose using both object information and time/date information when searching for schedules, before any information is associated with an image, and giving a user a list from which to select the best matching schedule among several matching schedules. Therefore, Mizoguchi does not disclose or suggest a retrieving unit operable to retrieve a title candidate, among the title candidates prestored by the storage unit, that matches the shooting time information and the object information and a presentation unit operable to present character sequences, to a user, that are a combination of the title candidate retrieved by the retrieving unit and the shooting time information acquired by the shooting time acquiring unit as recited in claim 1. As a result, claim 1 is patentable over Mizoguchi.

Claim 12 is not disclosed or suggested by Mizoguchi for the same reasons discussed above with regard to claim 1. Specifically, claim 12 recites a retrieving unit operable to retrieve a title candidate, among title candidates prestored by a storage unit, that matches shooting time information and object information and a presentation unit operable to present character sequences, to a user, that are a combination of the title candidate retrieved by the retrieving unit and the shooting time information acquired by a shooting time acquiring unit. As a result, claim 12 is not anticipated by Mizoguchi.

Claims 10 and 11 are not disclosed or suggested by Mizoguchi for reasons similar to those discussed above with regard to claim 1. Specifically, claims 10 and 11 recite retrieving a title candidate, among the prestored title that matches the acquired shooting time information and the acquired object information, and presenting character sequences, to a user, that are a combination of the retrieved title candidate and the acquired shooting time information. As a result, claims 10 and 11 are patentable over Mizoguchi.

Claims 2, 5-9, and 13-14 are either directly or indirectly dependent on claim 1. Therefore, claims 1, 2, and 5-14 are patentable over Mizoguchi.

Rejection under 35 U.S.C. §103(a):

Claims 3 and 4 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Mizoguchi (US 5,805,215) in view of Kawade (US 6,661,906 B1). This rejection is respectfully traversed and submitted to be inapplicable to the above claims for the following reasons.

Claims 3 and 4 are indirectly dependent on independent claim 1, which is discussed in detail above.

Kawade is relied upon in the rejection as disclosing preexisting information concerning a sex and an age of objects or people. However, it is apparent Kawade fails to disclose or suggest the features lacking from Mizoguchi discussed above with regard to independent claim 1. Accordingly, no obvious combination of Mizoguchi and Kawade would result in, or otherwise render obvious under 35 U.S.C. §103(a), the features recited in claims 3 and 4. Therefore, claims 3 and 4 are patentable over the combination of Mizoguchi and Kawade at least based on their dependency from claim 1.

Because of the above-mentioned distinctions, it is believed clear that claims 1-14 are allowable over the references relied upon in the rejections. Furthermore, it is submitted that the distinctions are such that a person having ordinary skill in the art at the time of the invention would not have been motivated to make any combination of the references of record in such a manner as to result in, or otherwise render obvious, the present invention as recited in 1-14. Therefore, it is submitted that claims 1-14 are clearly allowable over the prior art of record.

In view of the above amendments and remarks, it is submitted that the present application is now in condition for allowance. The examiner is invited to contact the undersigned by telephone if it is felt that there are issues remaining which must be resolved before allowance of the application.

The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.

Respectfully submitted,

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